

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

|                                      |   |                           |
|--------------------------------------|---|---------------------------|
| <b>CHYLEINA HERRON and</b>           | ) |                           |
| <b>CORY HERRON,</b>                  | ) |                           |
|                                      | ) |                           |
| <b>Plaintiffs,</b>                   | ) |                           |
|                                      | ) |                           |
| <b>v.</b>                            | ) | <b>Case No. 17-cv-826</b> |
|                                      | ) |                           |
| <b>E.W. SCRIPPS COMPANY, et al.,</b> | ) |                           |
|                                      | ) |                           |
| <b>Defendants.</b>                   | ) |                           |

**DEFENDANTS' MOTION TO DISMISS**

Defendants E.W. Scripps Company and Scripps Media, Inc., move this Court, pursuant to Rule 12(b)(6) of the Federal Rules of the Civil Procedure, to dismiss Plaintiffs' Petition for failure to state a claim upon which relief can be granted. In support of their motion, Defendants rely on the attached declaration of Carrie Hofmann. In addition, memorandum in support of the motion is being filed herewith.

Respectfully submitted,

LATHROP GAGE LLP

By: /s/Bernard J. Rhodes

Bernard J. Rhodes            MO #29844  
Taryn A. Nash                MO #70271  
2345 Grand Blvd., Suite 2200  
Kansas City, MO 64108-2684  
Tele: (816) 292-2000  
Fax: (816) 292-2001  
Email: brhodes@lathropgage.com  
         tnash@lathropgage.com

ATTORNEYS FOR DEFENDANTS E.W.  
SCRIPPS COMPANY AND SCRIPPS  
MEDIA, INC.



**CERTIFICATE OF SERVICE**

I certify that on this 3rd day of October, 2017, a copy of the above pleading was filed using the CM/ECF system and served by email to the following counsel of record:

Arthur A. Benson II  
Jamie Kathryn Lansford  
Arthur Benson & Associates  
4006 Central Avenue  
Kansas City, MO 64111  
abenson@bensonlaw.com  
jlansfor@bensonlaw.com

/s/Bernard J. Rhodes  
An Attorney for Defendants